FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 12-2004)	ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371	**RLL-416US** U.S. APPLICATION NO. (If known, see 37 CFR 1.5) **10/568155**

INTERNATIONAL APPLICATION NO. **PCT/IB2004/002648**	INTERNATIONAL FILING DATE **13 August 2004**	PRIORITY DATE CLAIMED **14 August 2003**

TITLE OF INVENTION
PROCESS FOR SELECTIVE PREPARATION OF Z-ISOMER OF CEFDITOREN AND PHARMACEUTICALLY ACCEPTABLE SALTS AND ESTERS THEREOF

APPLICANT(S) FOR DO/EO/US
KUMAR et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.

2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.

3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.

4. ☐ The US has been elected (Article 31).

5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))

     a. ☐ is attached hereto (required only if not communicated by the International Bureau).

     b. ☒ has been communicated by the International Bureau.

     c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).

6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

     a. ☐ is attached hereto.

     b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).

7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))

     a. ☐ are attached hereto (required only if not communicated by the International Bureau).

     b. ☐ have been communicated by the International Bureau.

     c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.

     d. ☒ have not been made and will not be made.

8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).

10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).

12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

15. ☒ A **FIRST** preliminary amendment.

16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.

17. ☐ A substitute specification.

18. ☐ A power of attorney and/or change of address letter.

19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.

20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).

21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).

22. ☒ Express Mail Label No.   **EV 483376243 US**

23. ☒ Other items or information:

     Postcard

     PCTUS1/REV05

U.S. APPLICATION NO (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER	
10/568155	**PCT/IB2004/002648**	**RLL-416US**	
		Applicant use	**Office use**

24. The following fees are submitted:

☒ a) Basic national fee	$300.00	$	$300.00	
☒ b) Examination fee	$200.00	$	$200.00	
☒ c) Search fee	$500.00	$	$500.00	
TOTAL OF ABOVE CALCULATIONS =	$1000.00	$	$1,000.00	

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is $250 for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round **up** to a whole	RATE		
25 - 100 =	-75 /50 =	0	x $250.00	$	$0.00

Surcharge of **$130.00** for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). $

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	28 - 20 =	8	x ·$50.00	$	$400.00
Independent claims	8 - 3 =	5	x $200.00	$	$1,000.00
MULTIPLE DEPENDENT CLAIMS (if applicable)	☐	+	$360.00	$	$0.00
		TOTAL OF ABOVE CALCULATIONS =		$	$2,400.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	$	$0.00
SUBTOTAL =	$	$2,400.00
Processing fee of **$130.00** for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	$	$0.00
TOTAL NATIONAL FEE =	$	$2,400.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). $40 per property +	$	$0.00
TOTAL FEES ENCLOSED =	$	$2,400.00

Amount to be refunded:	$	
Amount to be charged:	$	

a. ☐ A check in the amount of $ _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. ____50-0912____ in the amount of ____$2,400.00____ to cover the above fees. A duplicate copy of this sheet is

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. ____50-0912____ . A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

William D. Hare
SIGNATURE

CUSTOMER NO. 26,815

William D. Hare
NAME

44,739
REGISTRATION NUMBER

10/568155

IAP20 Rec'd PCT/PTO 1 3 FEB 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):   KUMAR *et al.*

International Application No.:   PCT/IB2004/002648

International Filing Date: 13 August 2004 (13.08.2004)

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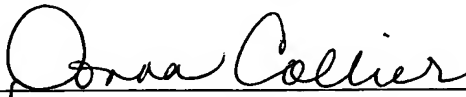## CERTIFICATE OF EXPRESS MAILING

I hereby certify that the following correspondence:

- Transmittal Letter to the US DO/EO Concerning a Filing Under 35 USC 371

- Unexecuted Combined Declaration and Power of Attorney

- Preliminary Amendment

- Copy of International Search Report

- Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 13, 2006.

Donna Collier
_____
(Name of Person Mailing Correspondence)

_____
(Signature)

EV 483376243 US
_____
(Express Mail Mailing Label Number)